

DRAFT MINUTES HEARING OFFICER March 19, 2019

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Council Chambers, 31 East Fifth Street, Tempe, Arizona.

REGULAR SESSION 5:00 PM

Present:

Vanessa MacDonald, Hearing Officer
Steve Abrahamson, Principal Planner
Brittainy Nelson, Administrative Assistant I

There were 0 interested citizens present at the regular session.

Meeting convened at 5:00 PM and was called to order by Vanessa MacDonald. They stated that anyone wishing to appeal a decision made by the Hearing Officer would need to file a written appeal to that decision within fourteen (14) calendar days, by April 2, 2019 at 3:00 PM, to the Community Development Department.

1. The following was noted:

- Agenda Item No. 1

March 5, 2019 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated that the March 5, 2019 Hearing Officer Minutes had been reviewed and were approved.

2. Request abatement of public nuisance items at the **ABELL PROPERTY** located at 2 W. Alameda Drive. The applicant is the City of Tempe (**CM181019**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

3. Request abatement of public nuisance items at the **SPENCE AVE. INVESTMENTS LLC 1005 PROPERTY** located at 1005 E. Spence Avenue. The applicant is the City of Tempe (**CM181266**).

Marvin White, Code Inspector, gave the following overview of this case:

- Has been a problem for several years
- 3times since 2014

- Correspondence has been sent out certified mail signed and return
- No change to the property
- Weeds are about 3-4 feet

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald stated that since there was no one in the audience then there is no property owner or anyone in the public that would like to speak on agenda item number 3.

Ms. MacDonald approved the 180-day abatement.

4. Request abatement of public nuisance items at the **SPENCE AVE. INVESTMENTS LLC 947 PROPERTY** located at 947 E. Spence Avenue. The applicant is the City of Tempe (**CM181267**).

Marvin White, Code Inspector, gave the following overview of this case:

- Same condition as the previous property with overgrown weeds
- Sent out the same correspondence as well with no reply

Ms. MacDonald stated that there must be a formality to do this by explanation they are different ownership entity and different property addresses so to do things appropriately they have to done individually.

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald approved the 180-day abatement.

5. Request abatement of public nuisance items at the **SPENCE AVE. INVESTMENTS LLC 943 PROPERTY** located at 943 E. Spence Avenue. The applicant is the City of Tempe (**CM181268**).

Marvin White, Code Inspector, gave the following overview of this case:

- Same condition as the previous property with overgrown weeds
- Sent out the same correspondence as well with no reply

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald approved the 180-day abatement.

6. Request abatement of public nuisance items at the **SPENCE AVE. INVESTMENTS LLC 931 PROPERTY** located at 931 E. Spence Avenue. The applicant is the City of Tempe (**CM181269**).

Marvin White, Code Inspector, gave the following overview of this case:

- Same condition as the previous property with overgrown weeds
- Sent out the same correspondence as well with no reply

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald approved the 180-day abatement.

7. Request abatement of public nuisance items at the **YOURS TRULY LLC PROPERTY** located at 1912 E. Meadow Drive. The applicant is the City of Tempe (**CE185189**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

8. Request abatement of public nuisance items at the **GONZALES PROPERTY** located at 1126 W. Malibu Drive. The applicant is the City of Tempe (**CE185478**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

9. Request abatement of public nuisance items at the **PAPRI PROPERTY** located at 1723 E. Bell de Mar Drive. The applicant is the City of Tempe (**CE186765**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

10. Request abatement of public nuisance items at the **WRIGHT PROPERTY** located at 2124 S. Mill Avenue. The applicant is the City of Tempe (**CE186907**).

Julie Scofield, Code Inspector, gave the following overview of this case:

- Case has been open since September 27, 2018
- For the landscaping over height grass, over height weeds, dead limbs, dead trees
- Quite a large parcel
- There has been notices mailed to the business owner property
- Has been in contact with the owner as of November of 2018 is the earliest contacts
- The owners have started to take care of the front of the property but not everything has been completed as of today
- Showed pictures of the property

Ms. MacDonald asked what the nature of the contact was.

Ms. Scofield stated that back in November is to inform that they are going to cut the grass. But nothing regarding taking the trees down at that time.

Ms. Scofield explained the nuisance on the property in the photos that she brought in. She explained where the grass has been cut and the trees taken care of in the front of the yard. However, in the backyard there is approximately 121 feet of land that has been fenced off but is part of the parcel and is a jungle with a lot of dead trees and over height grass remain.

Ms. MacDonald stated that regardless of their attempt to partition the property the property owner is responsible for the upkeep on the land.

Ms. Scofield stated that she has received about 6 complaints for the area that the property owner partition off from several of the neighbors.

Ms. Scofield stated her request for the abatement is for the whole parcel.

Ms. MacDonald clarified that it will haul away the stuff that is in the front yard and bring the whole land up to code.

Ms. Scofield confirmed that is correct.

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald stated that since there was no one in the audience then there is no property owner or anyone in the public that would like to speak on agenda item number 10.

Ms. MacDonald approved the 180-day abatement.

ANNOUNCEMENTS

- Vanessa MacDonald noted that the next Hearing Officer public hearing is scheduled for Tuesday, April 2, 2019 at 5:00 PM.
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With no further business, the public hearing adjourned at 5:11 PM.

Prepared by: Brittainy Nelson
Reviewed by:

Steve Abrahamson, Principal Planner
For Vanessa MacDonald, Hearing Officer

SA:bn